

Message

From: Young, Nichole [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DE6D7F1C18F94AEB89C71047E9772E42-YOUNG, NICH]
Sent: 3/29/2023 8:39:51 PM
To: D'Angelo, Lauren [DAngelo.Lauren@epa.gov]
CC: Tillman, James W (CGI Federal) [james.w.tillman@cgifederal.com]; Bouras, Peter C (CGI Federal) [peter.bouras@cgifederal.com]; Gillespie, David [Gillespie.David@epa.gov]
Subject: RE: New Transfer Request Question ATTORNEY CLIENT COMMUNICATION – NOT SUBJECT TO RELEASE
Attachments: 2022 Fact Sheet for Final Permit Decision.docx; 2022 Final Version Draft GP GMG290000.docx

ATTORNEY CLIENT COMMUNICATION – NOT SUBJECT TO RELEASE

Also,

Here is markup of draft permit. "Final Draft permit" Attaching fact sheet as well which outlines changes from draft to final.

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Sent: Wednesday, March 29, 2023 2:55 PM
To: Young, Nichole <young.nichole@epa.gov>
Cc: Tillman, James W (CGI Federal) <james.w.tillman@cgifederal.com>; Bouras, Peter C (CGI Federal) <peter.bouras@cgifederal.com>
Subject: RE: New Transfer Request Question

Hi Nichole,

I am available Friday any time except for 1:30-2pm ET.

Peter and Jim – are you available to meet with Nichole Friday or early next week to discuss next steps with the GMG reissuance?

Thanks,
Lauren

From: Young, Nichole <young.nichole@epa.gov>
Sent: Wednesday, March 29, 2023 3:52 PM
To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Subject: RE: New Transfer Request Question

Actually might need to meet with yall sooner. Just got the word some of our upper management is trying to push the permit out quickly and I'm not sure how fast things will move, but just want to stay on top of things. Are you all available before end of week or early next week?

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Sent: Wednesday, March 29, 2023 7:49 AM
To: Young, Nichole <young.nichole@epa.gov>
Subject: RE: New Transfer Request Question

Sounds good. Thanks, Nichole!

From: Young, Nichole <young.nichole@epa.gov>
Sent: Wednesday, March 29, 2023 8:45 AM
To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Subject: RE: New Transfer Request Question

Thanks Sharon! I will leave that up to Mitty and Sharon, the systems are really their job. They had concerns about it and its been a whole big thing. I figured it would be useful to ask if it could be fixed in the system, before everyone went off the rails, but of course that didn't happen lol. At least now they will know.

I will get with yall probably week after next about permit.

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Sent: Wednesday, March 29, 2023 7:38 AM
To: Young, Nichole <young.nichole@epa.gov>
Subject: RE: New Transfer Request Question

If you would like NeTGMG updated to no longer allow operators to add new Limit Sets during the Admin Continued period, that can be done. However, we would have to meet with the contractors to go over requirements to make sure we are understanding the need.

From: Young, Nichole <young.nichole@epa.gov>
Sent: Wednesday, March 29, 2023 8:37 AM
To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Subject: RE: New Transfer Request Question

And is there any way to bar operator/permittees from adding limit sets in the system that they do the NOI updates in?

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Sent: Wednesday, March 29, 2023 7:35 AM
To: Young, Nichole <young.nichole@epa.gov>
Subject: RE: New Transfer Request Question

Correct – newly added Limit Sets during the Admin Continued period will have to be manually coded downstream in ICIS.

From: Young, Nichole <young.nichole@epa.gov>
Sent: Wednesday, March 29, 2023 8:30 AM
To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Subject: RE: New Transfer Request Question

Ok thanks. I get confused. So basically the additions can be made in whatever system they make changes to NOI in, however these changes wont automatically flow into icis during admin cont. Sharon or helen would have to code them. Is that the correct assumption?

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Sent: Wednesday, March 29, 2023 5:57 AM
To: Young, Nichole <young.nichole@epa.gov>
Subject: RE: New Transfer Request Question

CDX is the platform that hosts NeTGMG. When Mitty or Sharon refer to CDX, I believe they are referring to the NeT application.

From: Young, Nichole <young.nichole@epa.gov>
Sent: Tuesday, March 28, 2023 6:24 PM
To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Subject: RE: New Transfer Request Question

Thanks Lauren and what about CDX? Mitty is saying that it can be done in there.

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Sent: Tuesday, March 28, 2023 2:00 PM
To: Young, Nichole <young.nichole@epa.gov>
Subject: RE: New Transfer Request Question

New permitted feature NOIs can be added to Admin Continued coverages. However, they need to be manually coded into ICIS by Sharon or Helen.

From: Young, Nichole <young.nichole@epa.gov>
Sent: Tuesday, March 28, 2023 2:56 PM
To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Subject: RE: New Transfer Request Question

Quick question. Does system allow addition of limit sets in admin cont?

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Sent: Wednesday, March 1, 2023 10:36 AM
To: Young, Nichole <young.nichole@epa.gov>; Angove, Sharon <Angove.Sharon@epa.gov>
Cc: Garcia, Mitty <Garcia.Mitty@epa.gov>; Tillman, James W (CGI Federal) <james.w.tillman@cgifederal.com>
Subject: RE: New Transfer Request Question

The company Fieldwood Energy IV never had Active coverage under the 2017 permit, therefore they do not have a NPDES ID for which to transfer the coverages to. The system does not allow for **new operator coverages** to be issued under the Expired permit.

While they may be requesting a transfer of the permitted feature NOIs which is allowable during the admin continued period, they would first need to be granted new operator coverage under the expired permit (not allowable). In order for them to complete the transfer as the system was designed, this operator would have had to have Active coverage before the expiration of the permit. The permit does allow for transfer of the Permitted Feature coverages, and the system reflects that.

ICIS will not allow a coverage to be Issued with an Issue Date after 9/30/22. Even if EPA did grant coverage to FEIV, it is not possible to enter the coverage into ICIS with issue date: 3/1/23 and expiration 9/30/22.

From: Young, Nichole <young.nichole@epa.gov>
Sent: Wednesday, March 1, 2023 11:21 AM
To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>; Angove, Sharon <Angove.Sharon@epa.gov>
Cc: Garcia, Mitty <Garcia.Mitty@epa.gov>; Tillman, James W (CGI Federal) <james.w.tillman@cgifederal.com>
Subject: RE: New Transfer Request Question

They are transferring their coverages or permit from one company to another. So it's not new coverage. I assume the new permit number is for compliance/enforcement purposes, so that compliance is not linked (Sharon can confirm)

Sharon,

We might to have them just do paper until new permit is issued, if the system doesn't allow.

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>

Sent: Wednesday, March 1, 2023 10:14 AM

To: Young, Nichole <young.nichole@epa.gov>; Angove, Sharon <Angove.Sharon@epa.gov>

Cc: Garcia, Mitty <Garcia.Mitty@epa.gov>; Tillman, James W (CGI Federal) <james.w.tillman@cgifederal.com>

Subject: RE: New Transfer Request Question

Hi Nichole,

It is understood that transfers and mergers are allowed during the admin continuance period. However, as Sharon indicated below, Fieldwood Energy IV's coverage did not exist before 10/01/22 (they never had Active coverage under the 2017 permit). What is being requested by this company is the ability to gain Operator coverage under the expired permit.

Is part B below referencing the Permitted Feature NOI or the Operator NOI? New PF NOIs are allowed for operators that had Active coverage (current Admin Continued coverage) under the 2017 permit. The system was not designed to grant new operator coverages under the Expired permit. Additionally, ICIS would not support a permit with a coverage effective date after the date of the MGP expiration.

Thanks,
Lauren

From: Young, Nichole <young.nichole@epa.gov>

Sent: Wednesday, March 1, 2023 11:05 AM

To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>; Angove, Sharon <Angove.Sharon@epa.gov>

Cc: Garcia, Mitty <Garcia.Mitty@epa.gov>

Subject: RE: New Transfer Request Question

Lauren,

The permit does allow for transfers and mergers during admin continuance period. See below,

4. Transfers Due to Merger and/or Acquisition

Operators who are involved in merger or acquisition shall transfer coverage in the following manner during the term of this permit, including any administrative continuance should the permit not be reissued prior to expiration.

a) During the initial term of permit: The new operator shall submit an NOI prior to taking operational control and the old operator shall submit a NOT within 60 days of receiving confirmation that the new permittee has submitted the NOI.

b) During any "administratively continued" term of the permit following the indicated expiration date: The new operator shall submit an NOI at least 30 days prior to taking operational control and the old operator shall submit a NOT within 60 days of receiving confirmation that the new permittee has submitted the NOI. The new operator shall submit a written agreement between the new and old permittees concerning the date of the transfer of permit responsibility, coverage, and liability between themselves.

From: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Sent: Wednesday, March 1, 2023 9:58 AM
To: Angove, Sharon <Angove.Sharon@epa.gov>
Cc: Garcia, Mitty <Garcia.Mitty@epa.gov>; Young, Nichole <young.nichole@epa.gov>
Subject: RE: New Transfer Request Question

Hi Sharon,

Per our previous discussions with you, Nichole, and Mitty, no new coverages are allowed after 9/30 until the new general permit is effective. In these cases, an Individual Permit should be used.

The business rules that were used to design the application do not allow for the 'exception' you are talking about below. It is not feasible to open the door for new operators for this one coverage. As we discussed previously, an Individual Permit would be the appropriate course of action.

Thanks,
Lauren

From: Angove, Sharon <Angove.Sharon@epa.gov>
Sent: Wednesday, March 1, 2023 10:18 AM
To: D'Angelo, Lauren <DAngelo.Lauren@epa.gov>
Cc: Nguyen, Trish <Nguyen.Trish@epa.gov>
Subject: FW: New Transfer Request Question

Lauren,

Marsha Lutz in her email below has advised me about a Transfer Agreement between two offshore companies.

However, one never existed prior to 10/01/2022 and thus does not have an NPDES permit number assigned. That company is Fieldwood Energy IV.

The other company doing the transfer is Fieldwood Energy LLC, GMG290541.

I am aware of the bankruptcy issue regarding Fieldwood Energy and most of the assets for this company are being transferred to various other offshore companies by a court appointed company [QuarterNorth (QNE)]. Some transfers have happened; some are still pending. The bankruptcy occurred earlier last year and is taking a while to resolve; therefore, we kept GMG290541 permit number open in order to keep the coverage in place for the transfer agreements to different offshore companies.

Question: regarding the new offshore company, Fieldwood Energy IV, that was created in order to take over some of the lease areas/blocks that held coverage under the now bankrupt Fieldwood Energy, how can they get a permit number assigned when CDX tells them: "The general permit expired on September 30th and this option is no longer available."

Sharon Angove

Ms. Sharon Angove
Environmental Protection/Offshore Specialist and
Offshore Enforcement Officer
Energy Sector Compliance Section (ECD-WE)
Enforcement and Compliance Assurance Division (ECD)
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Dallas, TX 75270
(214) 665-6472 (office)
(214) 665-2168 (fax)
angove.sharon@epa.gov

NEW Region 6 Offshore Enforcement web site, as of December 2022:

<https://www.epa.gov/npdes-permits/western-and-central-gulf-mexico-offshore-oil-gas-npdes-program>

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From: Marsha Lutz <Marsha.Lutz@jccteam.com>

Sent: Tuesday, February 28, 2023 3:50 PM

To: Angove, Sharon <Angove.Sharon@epa.gov>

Subject: New Transfer Request Question

Sharon

We have a client that is or will be a new operator in GOM – Fieldwood Energy IV (FEIV). They were formed to take on some of the Fieldwood Energy bankrupt facilities that QuarterNorth(QNE) had been managing as a contractor per BSEE orders. FEIV is a BSEE designated operator (03678) but has not been certified as an NPDES operator because QuarterNorth was doing the NPDES permit work. At this point QuarterNorth is transferring several facilities to FEIV, so FEIV needs to become an NPDES Permit Operator.

The proposed signatory got setup in CDX a couple days ago but when he went to Create New Operator the system message was: “The general permit expired on September 30th and this option is no longer available.”

What can be done to get a GMG290000 NPDES Permit No. for FEIV in order to begin the NPDES permit transfer of the facilities which is allowed under the administratively continued permit?

Thanks for your assistance.

Marsha L. Lutz
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